

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

JOHN DOE,

Plaintiff,

v.

TRUSTEES OF DARTMOUTH COLLEGE,

Defendant.

Civil Action No. 19-cv-000013-JL

**[AMENDED PROPOSED] PRELIMINARY INJUNCTION**

The Court, after hearing from the parties, has determined that plaintiff John Doe has proven a likelihood of success on the following claims: 1) breach of contract; 2) breach of the implied covenant of good faith and fair dealing; and 3) violation of Title IX of the Education Amendments Act of 1972. The Court also finds that: John Doe will be irreparably harmed in the absence of an injunction; the balance of equities weighs in favor of a preliminary injunction; and a preliminary injunction is in the public interest.

Accordingly, defendant Trustees of Dartmouth College (“Defendant”), its agents, officials, employees or anyone acting on its behalf, is hereby enjoined from enforcing its expulsion of John Doe pending a final resolution of this action. Defendant shall permit John Doe to register for and attend classes, and to reside on campus and participate fully in campus activities. Defendant shall ensure that John Doe’s absence from classes during the Winter Term thus far is not held against him in any way, including in his academic courses and with respect to his participation in campus activities.

John Doe is not required to pay any bond amount as security for the injunction because no amount is proper. In the event Defendant is found to have been wrongly enjoined, any costs and damages that it could conceivably incur as a result of its efforts to comply with this order would be adequately compensated for by the amount that John Doe has already paid in tuition for the Winter Term and any tuition that he will pay for any subsequent Terms. Accordingly, no security is required under Rule 65(c).

Dated: January \_\_\_, 2019

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United States District Judge

#### **CERTIFICATE OF SERVICE**

I, William E. Christie, hereby certify that a copy of the foregoing document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ William E. Christie  
William E. Christie